Honolulu, Hawaii

Feb 14 , 2012

RE: H.B. No. 1708 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1708, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to allow licensed physicians, psychiatrists, and psychologists to use telemedicine to conduct emergency examinations of patients at psychiatric facilities; provided that a health care professional is present in the room with the patient during the examination.

The Department of Health and Hawaii Medical Association testified in support of this measure. The Office of the Public Defender testified in opposition to the measure.

Your Committee is mindful that examinations under this bill could result in the involuntary commitment of a person.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that the emergency examination by telemedicine shall be limited to cases of geographically remote facilities with no immediate access to a licensed physician, psychiatrist, or psychologist; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

HB1708 HD2 HSCR JUD HMS 2012-1940

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1708, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1708, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

	Mittee Referral: {LT, JUD, FIN	Date:	2/7/1	2
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	/			
2. RHOADS, Karl (VC)				
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.		_		
5. CARROLL, Mele				
6. COFFMAN, Denny				
7. HERKES, Robert N.				
8. ITO, Ken				
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.			- Marian Marian	
12. TSUJI, Clift				
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.				_
15. THIELEN, Cynthia				
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TOTAL (15)	13		0	1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				